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09/672,363	09/28/2000	Juhnyoung Lee	YOR920000674US1	7560

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EXAMINER

KIANERSI, MITRA

ART UNIT PAPER NUMBER

2143

DATE MAILED: 09/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/672,363

Applicant(s)

LEE, JUHNYOUNG

Examiner

mitra kianersi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09/28/2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Response to Arguments

Applicant's arguments filed June/24/2004 have been fully considered but they are not persuasive.

Applicant on page 7, line 11, indicates that Lee et al. (US.6, 601,100) reference a related application. The examiner has cited Lee et al. (US 6,601,100) with the prior publication data (US 2002/0198939). This application is related to U.S. patent application No. 09/238,238, entitled AGGREGATING AND ANALYZING INFORMATION ABOUT CONTENT REQUESTED IN A NETWORK (WORLD WIDE WEB) ENVIRONMENT TO DETERMINE CONVERSION RATES, filed on the same day as this invention with the same inventorship. This application is a continuation of U.S. Pat application No. 09/238,861, filed on Jan. 27, 1999, now U.S. Pat. No. 6,466,970.

Applicant on page 8, line 14, argues that it is not admitted that the Applicants agree that there is a suggestion or motivation to combine Lee et al. and Jammes et al. It should be noted that Jammes et al. invention clearly describes that with the increasing popularity and accessibility of the Internet, and particularly the World Wide Web, the number of merchants using and desiring to use the World Wide Web to advertise and sell products is growing rapidly. The World Wide Web is a global information system in which information is exchanged over the Internet using a set of standard protocols. An existing Web-based electronic store typically comprises a collection of Web pages, which describe inventory, and which include on-line forms allowing consumers to place orders. Consumers use Web browsers to access the Web pages of electronic stores to examine information about available products and to submit product orders.

Existing Web site development tools are not well suited to the task of developing and managing the content of an electronic store, and do not provide the functionality and flexibility needed by developers to efficiently generate and control a dynamic store environment of the type needed in the electronic marketplace. Existing systems and methods for designing and maintaining electronic stores are burdensome or require a

high level of technical knowledge or both. The Jammes et al. invention seeks to solve these and other problems. Lee et al. also point out that without the ability to collect, aggregate, and/or analyze detailed information about the interaction of visitors with Web content, Web designers and marketers currently rely on ad hoc knowledge of a few experts in the area (e.g. creative designers). The current dependence on a few human experts for Web site design and management is evidence that it is more of an art than a science, and that there are not sufficient systems or tools for it. This method is expensive, inefficient, faulty, and subjective. It is often seen that experts express contradictory opinions about the same Web site design. An object of Lee et al. invention is an improved system and method for logging information about Web requesters and content of Web pages served by a server on a network, particularly a server on the World Wide Web. For the above-mentioned reasons, it would have been obvious to one skilled in the art to employ Lee et al. method and system with the Jammes et al. Applicant on page 10, line 21, argues that the proposed combination of Lee et al. and Jammes et al. does not expressly disclose or suggest an "analysis data window that has analysis data about the effectiveness of the respective product page", in combination with the type of analysis data determined by a type of analyst that use the interface", and "the analysis data window presented in proximity to the respective product page." Jammes in Fig.4 clearly illustrates the applicant claim language "product page" as shown in step 408 and also applicant's claim language "analysis data" shown in step 309 in Fig. 13, step 1338, step 1330, 1328, 1338, etc. Applicant on page 11, lines 4-7 argues that There is no disclosure or suggestion in either Lee et al. (U.S. 6,601,100) or a Jammes et al. of determining a "type of analyst" and subsequently determining what analysis data to present in an analysis data window based on the type of analyst". Jammes et al. In page 14, step 1414 and step 1416 and 1418 clearly illustrates the claim language of the applicant "from high-level menus to lower level menus", etc. Applicant on page 11, line 13 indicates about that the type of analysis data is "determined automatically by the type of analyst that uses the interface". Since Jammes and Lee using computers for product information and also it is well known in the art that the type of analysis data is determined automatically.

Applicant on page 12, lines 18 and on page 13, line 3, argues that "analysis data about the effectiveness of the respective product page, the type of analysis data being determined automatically by a type of analyst that uses the interface and the analysis data window presented in proximity to the respective product page." Jammes in Fig.4 clearly illustrates the applicant claim language "product page" as shown in step 408 and also applicant's claim language "analysis data" shown in step 309 in Fig. 13, step 1338, step 1330, 1328, 1338, etc. Applicant on page 13, line 11, argues that the "type of analyst", as per claim 1, includes any one or more of the following: "an administrator, a marketer, a merchandiser, a Web designer, a store owner of the online store, a system analyst, a product analyst, and a sales analyst." Claim 2, indicates an administrator, a marketer, a merchandiser, a Web designer, a storeowner of the online store, a system analyst, a product analyst, and a sales analyst. Jammes has marketer, merchandiser as shown in Fig.13, step 1324, 1304 or 1306 can be considered as a marketer or merchandiser. Applicant on page 14, line 10 argues that "determined automatically by the type of analyst that uses the interface". Since Jammes and Lee using computers for product information and also it is well known in the art that the type of analysis data is determined automatically.

Applicant on page 15, line 4 argues that "the type of analysis being determined automatically by the user's user class". Applicant should provide more "explicit information about "user class". Also Jammes in Fig.9 step 902 shows different classes for example clothing, accessories, etc.

Applicant on page 15, line 21, argues that the proposed combination of Lee et al. U.S. 6,601,100) fail to disclose an "analysis data window that has analysis data about the effectiveness of the respective product page, the type of analysis data being determined by a type of analyst that use the interface and the analysis data window presented in proximity to the respective product page and then uses Jammes et al. teaching this matter". Jammes in Fig.4 clearly illustrates the applicant claim language "product page" as shown in step 408 and also applicant's claim language "analysis data" shown in step 309 in Fig. 13, step 1338, step 1330, 1328, 1338, etc.

Applicant on page 16, line 2, argues that "indicates an effectiveness of the product pages, to display an analysis data window in proximity to a respective one of the

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product pages, where a specific type of analysis data that is displayed in the analysis data window is determined automatically by determining a type of analyst that uses the interface". Jammes in Fig. 4 clearly illustrates the applicant claim language "product page" as shown in step 408 and also applicant's claim language "analysis data" shown in step 309 in Fig. 13, step 1338, step 1330, 1328, 1338, etc. because the arguments with respect to the allowableness of independent claims were found unpersuasive, these same arguments are not persuasive with respect to the other dependent claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al. (US 6,601,100), and further in view of Jammes et al. (US 6,484,149)

1. As per claim 1, Lee et al. discloses a computer interface to an online store comprising:

-one or more product pages that have product information about one or more products, the product information obtained from the online store; (abstract) and (col 8, lines 5-11) .

Lee et al. fail to disclose an analysis data window that has analysis data about the effectiveness of the respective product page, the type of analysis data being determined automatically by a type of analyst that uses the interface and the analysis data window presented in proximity to the respective product page.

However, Jammes et al. discloses a top-down menu approach wherein an initial catalog page appearing on a consumer's computer screen lists general product categories, where the user selects one of the general categories, another page appears on the

computer screen presenting a narrower subordinate menu of product lines. Thus, a user navigates from high-level menus to lower level menus, eventually reaching a page that describes an individual product.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ Lee et al. method and system for collecting and analyzing information about content requested in a network environment with Jammes et al. method of viewing product information for generating web pages, because it is not only easy for analysts to understand, but also, allows them to reach a particular product in a convenient and timely manner.

2. As per claim 2, Lee-Jammes disclose the invention substantially as claimed including where the type of analyst includes any one or more of the following: an administrator, a marketer, a merchandiser, a Web designer, a store owner of the online store, a system analyst, a product analyst, and a sales analyst. (Col 3, lines 31-35, Lee)

3. As per claim 3, Lee-Jammes disclose the invention substantially as claimed including where the analysis data window further comprises any one or more of the following types of analysis data: analysis data on one or more products on the product page, analysis data on one or more of the product pages, and analysis data on one or more components of one or more of the product pages. (Col 8, lines 5-11, Lee)

4. As per claim 4, Lee-Jammes disclose the invention substantially as claimed including where the analysis data window comprises analysis data on one or more products on the product page and the analysis data comprises any one or more of the following: one or more conversion rates, one or more count measure conversion rates, one or more derived measure conversion rates, one or more sales measures, one or more dimensions, one or more time dimensions, one or more customer dimensions, one or more merchandising cue dimensions, one or more shopping metaphors, one or more product category dimensions, one or more basket placement counts, one or more purchase counts, one or more return counts, a ratio of purchases to number of basket placements, a ratio of number of returns to number of purchases, a sales value, a profit, an average price, and an average profit margin. (Col 2, lines 35-43, Lee)

5. As per claim 5, Lee-Jammes disclose the invention substantially as claimed where the analysis data window comprises analysis data on one or more product pages and the analysis data comprises any one or more of the following: one or more conversion rates, one or more count measure conversion rates, a number of impressions, a number of clickthroughs, one or more derived measure conversion rates, a number of clickthroughs per number of impressions, a number of basket placements per number of clickthroughs, a number of purchases per number of basket placements, a number of purchases per number of impressions, a number of purchases per number of clickthroughs, one or more sales measures, one or more dimensions, one or more time dimensions, one or more customer dimensions, one or more merchandising cue dimensions, one or more shopping metaphors, one or more product category dimensions, one or more basket placement counts, one or more purchase counts, a sales value, a profit, an average price, and an average profit margin. (col 2, lines 35-45, Lee)

6. As per claim 6, Lee-Jammes disclose the invention substantially as claimed including where the product page is a web browser page. (Col 4, lines 64-67, Lee)

7. As per claim 7, Lee-Jammes disclose the invention substantially as claimed including where one or more components of the product page is a hyperlink to one or more other product web pages. (element 242) and (col 7, lines 58-62, Lee)

8. As per claim 8, disclose the invention substantially as claimed, where the components of Web page displaying the selected product are any one or more of the following: one or more products, product pages, hyperlinks, Web applications, and Web design features. (col 3, line 67 and col 4, line 1-7, Lee)

9. As per claim 9, Lee-Jammes disclose the invention substantially as claimed. Including an interface, where the Web applications are one or more of search, shopping cart placement, registration, checkout, mail to friend, wish lists, gift registries, calendars, custom-configuration of products, buyer's groups, chatting, e-mail notification, and in-context sales. (Col 11, lines 24-28, Lee)

10. As per claim 10, Lee-Jammes disclose the invention substantially as claimed where the Web design features are one or more of media type, font, size, color, and location. (Col 16, lines 26-29, Lee)

11. As per claim 11 (Lee-Jammes) disclose a method of doing business over a network comprising the steps of:

providing one or more product pages that have product information about one or more products on a user interface, the product information obtained from an online store;

(abstract, Lee) and (col 8, lines 5-11, Lee)

and providing an analysis data window that has analysis data about the effectiveness of the respective product page, the type of analysis determined by a user that uses the interface and the analysis data window presented in proximity to the respective product page, the user being in a user class and the type of analysis being determined automatically by the user's class and the type of analysis being determined automatically by the user's user class. (col 2, lines 34-40, Jammes)

12. Claim 12; recite similar limitation as claim 2. It is analyzed and rejected by the same rationale.

13. As per claim 13, where the user is registered to the online store by the user's role in the store. (This step is obvious, because in order to be able to login and retrieve the specific data, the user must be registered as a member).

14. Claim 14; recite similar limitation as claim 6. It is analyzed and rejected by the same rationale.

15. As per claim 15, Lee-Jammes disclose the invention substantially as claimed where the analysis data is presented in the analysis data window concurrently with and in proximity to the web browser page on the interface.

where (corresponds to a software system called "Merchant workbench" (col 3, lines 1-10, and col 2, lines 34-40, Jammes)

16. As per claim 16, Lee-Jammes disclose the invention substantially as claimed where, where the analysis data window is produced by a software program that starts

automatically when the user requests the web browser page of a selected product. (Col 6, lines 7-10, Lee)

17. As per claim 17, Lee-Jammes disclose the invention substantially as claimed where the analysis data window software program automatically starts only when the user is a member of a selected user class, which affiliates with the online store. (Fig.2, and col 6, lines 28-30, Lee)

18. As per claim 18, Lee-Jammes disclose the invention substantially as claimed where the user class of the user making a request to the online store is identified by the store before the analysis data window is provided on the interface. (Col 2, lines 16-18 and col 7, lines 8-19, Lee)

19. As per claim 19, Lee-Jammes disclose the invention substantially as claimed where the user class is examined by using a subfield of a "cookie" that is attached to the request. (Col 7, lines 3 and lines 8-11, Lee)

20. As per claim 20, Lee-Jammes disclose the invention substantially as claimed where further comprising a perusal step that automatically browses and filters a set of product pages and their analysis data based on a profile of the user. (Col 6, lines 21-25, Lee)

21. As per claim 21, Lee-Jammes disclose the invention substantially as claimed where the perusal step provides in the interface one or more criteria of filtering one or more product pages. (Col 10, lines 6-10, Lee)

22. As per claim 22, Lee-Jammes disclose the invention substantially as claimed where A method, where the criteria of filtering is based on any one or more the following: one or more attributes of the pages, one or more components of the pages, and one or more of the analysis data. (Col 10, lines 11-15, Lee)

23. As per claim 23, Lee-Jammes disclose the invention substantially as claimed where the product page perusals step automatically retrieves specified product pages and the respective analysis data from the online store. (Col 6, lines 1-6, Lee)

24. As per claim 24, Lee-Jammes disclose the invention substantially as claimed where the product page perusal step parses the content of retrieved product pages and

the respective analysis data, and selects product pages that meet one or more criteria given by the user. (Col 5, lines 49-64, Lee)

25. As per claim 25, Lee-Jammes disclose the invention substantially as claimed where the product page perusal step creates a list of selected product pages that contains page name, analysis data summary, and hyperlink for each selected product page. (Col 7, lines 23-30, Lee)

26. As per claim 26, Lee-Jammes disclose the invention substantially as claimed where the user can use the list of selected product pages created by the product page per user program to manually examine product pages and their analysis data by using a web browser. (Col 7, lines 58-67, Lee)

27. As per claim 27, A new program embodied on a computer readable medium and comprising computer program instructions for directing at least one computer to provide an interface to an online store, comprising:

First computer program instructions for defining and managing product pages each containing product information concerning at least one product of the online store; and second computer program instructions, responsive to stored data that represents a historical record of use of the product pages by customers and potential customers of the online store and that indicates an effectiveness of the product pages, to display an analysis data window in proximity to a respective one of the product pages, where a specific type of analysis data that is displayed in the analysis data window is determined automatically by determining a type of analyst that uses the interface. (at least two computers wherein the enhanced Web browser 112 runs on a first computer and the Web server 106 runs on a second computer, col 8, lines 34-45). Lee et al. fail to disclose an analysis data window that has analysis data about the effectiveness of the respective product page, the type of analysis data being determined automatically by a type of analyst that uses the interface and the analysis data window presented in proximity to the respective product page.

However, Jammes et al. discloses a top-down menu approach wherein an initial catalog page appearing on a consumer's computer screen lists general product categories, where the user selects one of the general categories, another page appears on the

computer screen presenting a narrower subordinate menu of product lines. Thus, a user navigates from high-level menus to lower level menus, eventually reaching a page that describes an individual product.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ Lee et al. method and system for collecting and analyzing information about content requested in a network environment with Jammes et al. method of viewing product information for generating web pages, because it is not only easy for analysts to understand, but also, allows them to reach a particular product in a convenient and timely manner.

28. As per claim 28, where the type of analyst is determined automatically by extracting data from a user information field of a cookie. (corresponds to permitting Web page information to be extracted on-demand from a product inventory database.

Abstract)

29. As per claim 29, a computer program, where the type of analyst is determined automatically by extracting data from a user class subfield of a cookie. (corresponds to permitting Web page information to be extracted on-demand from a product inventory database. Abstract)

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mitra Kianersi whose telephone number is (703) 305-4650. The examiner can normally be reached on 7:00AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (703) 308-5221. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-9923.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Mitra Kianersi

September/09/2004


ZARNI MAUNG
PRIMARY EXAMINER